

"SAVE THE BOYS," IS LINDSEY'S SLOGAN

Jurist Says Those Who Give Young a Chance Are Doing World's Big Work.

HUMAN SOULS AT STAKE

Denver Man Indorses Such Enterprises as Newsboys' Home Club, Which Is "Putting Shoulder to Wheel."

"We must learn to put love in the law. We do not judge men, but the things men do."

He had been speaking of boys—just boys. Speaking tenderly, understandingly, lovingly. For that is the way of Judge Ben R. Lindsey, with most folks—just mostly with boys. It was he who created the children's court.

"I hate a lie, but not a child," went on Judge Lindsey. "That is what I mean when I say we must put love in the law. You must love the boy, but hate the bad thing that he does. The boy is of value. He must be saved at any cost. It is the bad thing that has to be killed. If you have an apple with one rotten spot, what do you do? Throw the whole apple away? Not a bit of it. You save it and cut out the rotten spot, don't you?"

"That is what I tell my boys—just cut it out," I say, "I don't want to hurt you; I love you. But you've got to let go of this thing that's dragging you down. You have to cut it out. It isn't doing you any good; it's doing you harm, and it's spreading. If you let it go it will make you rotten all over."

"Fight Square," Judge's Advice.

"Come on, kid, fight square. You can make more money, anyway, on the level than you can as a crook. Isn't it proved? How many crooks do you know that are rich?"

Judge Lindsey paused. He was looking back through the years.

"Do you know," he said, "the first three boys who came before me officially that I tried for burglary? They had robbed a barn. When I questioned them I found it was the same barn I had robbed when I was a kid. It made a better judge of me to know it."

"You mustn't frighten kids. A lot of the bad things they do are just because they are frightened. Most kids would not be unless they were afraid. Oh, that davey, misdirected act of youth! How you have to live it to understand it! And I'm no sentimentalist. I believe you have to be firm. The law must be obeyed. But if you want to help you have to learn to put patience and sympathy, wisely used, into the construction of the law."

"No product of the world is half so precious as our young humans. We have to learn to care for them. They are of greater value than the things they harm."

"There is the story of the three boys who came before me who had stolen a shawl. 'What did you take it for, kids?' I asked. 'To get money to go to the 'Punch and Judy' show,' they told me. 'That was burglary, wasn't it?'

Weren't the boys criminals? The law told me it was my duty to put burglars in jail, or in some reformatory, with incorrigible boys. So the law would have placed the value of that shawl above that of three human souls. No, sir; that would have been wrong. There would have been no love in that law. It is not an institution that can overcome evil. You have to overcome evil with good."

Human Beings Naturally Good.

"Human beings are naturally good," continued Judge Lindsey, thoughtfully. "If they have half a chance they will stay good. That is why the homes and the clubs and the people who are giving the young a chance are doing the big work of the world. And it is because the people who are doing such work love kids that it counts. One day of love is worth more to the heart of a child than one year of empty creature comforts."

"And so I pray that each may put his shoulder to the wheel. Help us save the one thing in the world most worth saving. Help us to bring out the image of God in the work that the state has to do."

"Each to put his shoulder to the wheel" for the preservation of our "most precious product" is what the directors of the Newsboys' Home Club are asking others to help them do.

The present building of the club is on Second avenue and 11th street. It was for many years occupied by the New York Historical Society. It is proposed to carry the walls, already two stories high, twenty feet higher. The new room is to be used as a gymnasium. A new heating plant is also to be installed, the building wired for electricity and new plumbing provided throughout.

It is estimated the improvements in the Newsboys' Home Club will approximate \$20,000.

TRAIN ROBBERS GET \$1,500.

Kansas City, Mo., May 2.—Two robbers who boarded Kansas City Southern passenger train No. 5, at the station here, lined up and robbed the passengers soon after the train started early this morning, securing about \$1,500 in money and jewelry.

DR. SUN'S DAUGHTER ILL.

(By Telegraph to The Tribune.)

San Francisco, May 1.—Miss Annie Sun, eighteen years old, daughter of Dr. Sun Yat-sen, of China, who has been a student at the seminary in Berkeley, is ill and will return to her home in China, sailing from here Saturday.

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STEP FOR MOTHERS' AID State Commission to Decide on Pension Plan.

(By Telegraph to The Tribune.)

Albany, May 1.—The Senate to-night passed, in amended form, Assemblyman Aaron Levy's bill designed to produce state aid for widowed mothers, and the Assembly later concurred in the amendments. Thus the bill now goes to Governor Sulzer for his approval, which it is expected he will give.

In its final form the bill establishes a commission to inquire into the best method of affording state aid for widows with children. This body is authorized to study the subject both in this country and abroad, and has an appropriation of \$15,000.

SENATE JAMS THROUGH MANY IMPORTANT BILLS

Measures Affect Commission Merchants, Brokers, Railroads, Liquor Dealers and Dance Halls.

(By Telegraph to The Tribune.)

Albany, May 1.—Without much debate the Senate passed to-night Assemblyman Cole's bill for licensing commission merchants.

In addition to the licensing feature, the bill provides that the dealers must give a bond for the protection of persons who sell produce to them for sale.

The upper house also passed, after a sharp fight, in which Senator Wagner took the lead, Assemblyman Aaron Levy's bill permitting members of the Consolidated Exchange to do business with members of the New York Stock Exchange.

This was attacked and ridiculed. Senator Brown said it would be just as logical to compel members of the Stock Exchange by law to invite members of the Consolidated Exchange to weddings in their families as to force them to accept business from members of the little exchange. But the prevailing legislative sentiment seemed to be that the Stock Exchange was an irresponsible and highly autocratic body, which ought to be made to realize that it could not rule the universe. The vote was 29 to 13.

Assemblyman Hammer's bill compelling the New York Central to establish a station in The Bronx at which all trains shall stop was passed in the upper House by a vote of 29 to 10. A kindred bill by Senator Grubin, which would compel this road and the New York, New Haven & Hartford to transport local passengers within the limits of New York City for a fixed fare, was beaten 21 to 22.

The bill of Senator O'Keefe permitting membership corporations having a liquor license to obtain temporary monthly licenses for other premises was passed, after a sharp fight, by a vote of 28 to 18. Much lobbying was necessary to raise the final vote which passed it.

The same bill was beaten in the Assembly a few days ago because of the mystery about its origin and much doubt about what it would permit. Some said it would permit the fitting out of a wagon with a good supply of liquor, which might travel all over the state dispensing them.

Assemblyman Deeny's bill regulating dance halls was also passed. Senator Frawley explained that this bill merely permitted places like Madison Square Garden to be known as ballrooms instead of dance halls. Senator Pollock, another advocate, explained that it would permit a court of review of revocation of licenses of dance halls. The Senate passed it without knowing what it did.

"ARSON TRUST" BILLS DEAD

Passed by Assembly, but Will Slumber in Senate.

(By Telegraph to The Tribune.)

Albany, May 1.—The two bills of Assemblyman Walker drafted by Fire Commissioner Johnson of New York City to discourage the activities of the "arson trust" passed the Assembly today by a vote of 99 to 25, but are doomed to defeat in the Senate. They will probably be forgotten in committee. They are considered worthy in purpose but faulty in draftsmanship.

The bills call for a careful inspection of all property to be insured from fire, and an equally careful examination of the persons to be insured. It is made a misdemeanor for them to make a false or misleading statement in their application for insurance. Assemblyman Cuyler, one of the few men to oppose the bills in the Assembly, objected principally to this last provision.

Commissioner Johnson in advocating the bills here before the Assembly Insurance Committee said that now it was possible to get an unlimited amount of insurance on a \$200,000 worth of property.

ASKS 'PHONE SERVICE PROBE

Foley Bill Provides State Inquiry of All Companies.

(By Telegraph to The Tribune.)

Albany, May 1.—Senator Foley, of New York, introduced a resolution to-night for an investigation by a joint legislative committee of the telephone and telegraph service, rates and control, looking toward legislation for better regulation. His resolution, which makes an appropriation of \$20,000 for expenses, was referred to the Finance Committee.

While Governor Sulzer has recently been assailing the Public Service Commission for non-action or inaction toward telegraph and telephone rate reduction, a bill said to have his backing was introduced in the Senate and rushed to the order of final passage to-night which would transfer jurisdiction over telephone and telegraph companies to the Public Service Commission to that in New York City.

This bill is practically the same as one introduced several weeks ago by Senator Fitzgerald, of New York, who handles the new one. The first one encountered the opposition of both commissions and of ex-Governor Dix.

It is understood that the Governor has decided to veto the Larrimer bill, designed to give a 5-cent rate for telephone calls between any two points in New York City, in the hope that the Fitzgerald-Levy bill will be enacted into law.

CANAL OPENING DATES

Erie Ready for Through Navigation on June 1.

Albany, May 1.—Through navigation on the Erie Canal will be opened on June 1, according to Duncan W. Peck, State Superintendent of Public Works. The Champlain Canal, between Watervliet and Northumberland, will be opened next Monday at noon, and through navigation on the Champlain Canal will be established on May 15, at noon.

The Cayuga and Seneca and Black River canals will be opened on June 1.

SULZER'S BREACH WITH LEGISLATURE WIDENS

Business of State Likely to Suffer Greatly Because of Many Unfilled Vacancies.

LEGAL TANGLE PROBABLE

Lawyers Say Governor Cannot Make Recess Appointments After Failing to Nominate During Regular Session.

(By Telegraph to The Tribune.)

Albany, May 1.—With only two days remaining of the legislative session Governor Sulzer and the legislative leaders are apparently wider apart than ever, and as a result legislative conditions are sadly disturbed. Also the business of state departments is likely to suffer grievously, because it seems certain final adjournment will be taken leaving some of the Sulzer appointees unfilled and leaving other necessary appointments unmade because Sulzer did not care to trust the nominations in the hands of the Tammany Senate.

Frank W. Stevens, chairman of the upstate Public Service Commission, whose term expired months ago, resigned to-night. An appointment has been expected from the Governor for this place for many days. Before he took up direct nominations he made the promise to organization leaders to appoint George M. Palmer, Democratic State Chairman, to the place. Recently he is said to have told Palmer he couldn't have the job.

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If the Governor does not make this and other appointments before adjournment, to give the Legislature a chance to act on them, there is bound to be a fine legal tangle. Lawyers argue that the Governor may not make a recess appointment to fill a place which became vacant while the Legislature was in session and which he had a chance to fill when the Legislature could pass on his nomination.

Many Places Vacant.

There are several such places. There are two vacancies in the upstate Public Service Commission. The State Architect's place is vacant, though there are dozens of applicants. The term of the State Health Commissioner has expired. The State Finance Committee will report to Governor Sulzer to-day against the confirmation of Judge John R. Riley, of Plattsburg, to be Superintendent of Prisons. No reason has been given beyond the general one of unfitness, but members of the committee assert ample reason for Riley's rejection will be given in the debate to-morrow.

Also the nomination of John Mitchell to be Labor Commissioner will be reported adversely. The reason for this will be that he is not a Democrat—a reason sufficient for the rejection of Dean Cook of St. Lawrence Agricultural School when Governor Hughes nominated him for office. Undoubtedly both these nominations will be rejected. The Senate Finance Committee has not acted yet on the Governor's nomination of Eugene Strauss, of Rochester, to be a member of the state Hospital Commission.

While this somewhat tense situation exists between the Executive and the Legislature, the Governor to-day sent a couple of messages to both houses urging action on bills which he considered extremely important. One was a recently introduced bill reorganizing the Conservation Commission under a single head; the second was a bill establishing a state printing board. He urged both on the ground of economy and efficiency.

Message Astonishes Legislators.

The reading of these messages caused astonishment almost to the point of consternation on the part of the Democratic leaders. Senators Wagner and Frawley broke out in protest. Still it came to light that yesterday they had had a conference with the Governor, at which these bills had been discussed, and it had been explained to him that they could not possibly be passed this year, as to do so would totally disarrange the appropriation bills now made up and awaiting passage on the basis of the existing order in the conservation commission and the present method of handling the state printing. If any changes were made in these appropriation bills, adjournment would be delayed indefinitely. So the messages were tabled, and no attention will be paid to them. Tammany legislators termed them an attempt on the Governor's part to "double cross" the Legislature.

Senator Brown, the minority leader, to-day introduced a bill which would make it a felony for any state officer, including the Governor, to attempt to influence the vote of any legislator.

The majority leader, Mr. Wagner, objected to the advancement of the bill and called attention to the fact that the bill could not be considered before adjournment without an emergency message from the Governor.

"Then I shall apply immediately for such a message," retorted Senator Brown.

TOMKINS LOSES FIGHT

Assembly Passes Dock Bills, Despite His Opposition.

(By Telegraph to The Tribune.)

Albany, May 1.—The Assembly, without debate, passed to-day the two bills of Senator Cullen which will permit carrying out a plan for dock improvement in New York City, now being worked out by the new Dock Commissioner, R. A. C. Smith.

Under one of the bills many of the powers of the Dock Commissioner are transferred to the Board of Estimate and Apportionment. Ex-Dock Commissioner Calvin Tomkins, in a statement given out here, says his removal from office was caused by his opposition to this bill. Mr. Tomkins says the bill removes the most important of the safeguards contained in the present law.

The second bill provides that in New York City a railroad or express company may acquire the stock of a freight terminal company.

"The original scheme," Mr. Tomkins said, "was to protect the freight terminal companies against falling into the control of the railroads and express companies, and for this reason the acquisition of the stock of a freight terminal company by railroad and express companies was prohibited."

SHERIFF "FIRES" REPUBLICANS.

Riverhead, Long Island, May 1.—D. Henry Brown, the new Sheriff, told about a dozen court officers to-day that their services would not be required at the next term of court. All those dismissed are Republicans. The Sheriff also dismissed the jail cook, who the Sheriff says, has been providing meals for too many out-siders.

COCAINE BILL UP TO-DAY

Senate Fails to Reach Measure—Passage Seems Assured.

(By Telegraph to The Tribune.)

Albany, May 1.—The Walker anti-cocaine bill, designed to check the traffic in that drug exposed by The Tribune, was on the Senate calendar to-day for third reading and final passage. Owing to its position, on page 55 of a 68-page calendar, it was not reached to-day, but will be among the earlier bills to be taken up to-morrow.

Senator Robert F. Wagner, the majority leader, as well as Senator Seeley, a physician, and Senators Thomson and Coats, who previously opposed it, all gave assurances to-day that they would aid its passage in every way possible, and in spite of some opposition from Senator Wendt and one or two others who are likely to support him, there is every probability that the bill will pass the Senate to-morrow.

ASSEMBLY KILLS SULZER PRIMARY BILL, 93 TO 47

Vote Taken at 3 o'Clock This Morning, After Night Spent in Ridiculing Measure.

(By Telegraph to The Tribune.)

Albany, May 2.—The Assembly at 3 o'clock this morning, after talking all night against Governor Sulzer's state-wide primary measure, practically ridiculing it to death, killed the bill by a vote of 93 to 47. The vote broke all party lines.

By a vote of 29 to 31, amendments offered by Senator Hinman, who said they practically embodied the provisions of the Governor's bill, except that the state convention was retained, were defeated.

No semblance of a genuine debate on the bill's provisions was maintained. Up to midnight only three persons—all advocates of the Sulzer bill—had spoken. They made it plain in the first few moments of each speech that not one—not even Assemblyman Elsie, who introduced the lower House—knew anything about its provisions. Their talk was the most general kind of stump-speaking, delivered for the most part to empty seats or to a riotous group of fellow Assemblymen, who look little in exposing by adroit questions how little the bill's advocates knew about it.

"The battle for direct primaries has just begun. The fight will go on until the cause of the people triumphs."

This was Governor Sulzer's comment yesterday on the defeat of his state-wide direct primary bill by the Senate. He said he would determine when to call an extraordinary session of the Legislature to reconsider the bill, after he had conferred with "friends of the reform."

The success of direct primaries in the State of New York, continued the Governor, is just as certain as that we are alive. The vote in the Senate yesterday expressed nothing except what the people know—that the Senate of the State of New York is not a free agency. For the first time in the history of this state, so far as we have been able to ascertain, both political parties conspired to defeat a bill to carry out the solemn pledges of their platforms.

"The bill was not beaten on its merits. It was defeated solely by the party hack and the bipartisan caucus combination dictated by agencies outside the Capitol. When the campaign will be brought home to the state these facts will be brought home to the people, and I undertake to say that when the extraordinary session of the Legislature convenes neither party will dare to touch the bill."

Senator Hendy and Assemblyman Ward were among those who advocated the bill.

Practically the only one to oppose the bill on the floor of the House was Assemblyman J. A. Smith, of St. Lawrence County, the bailiwick of ex-Speaker Edwin A. Merritt, who is prominently identified with the water power interests.

The proposed amendment provided that in fixing the price of the water power to the municipalities the cost of the surplus canal water should be taken into consideration. Unexpectedly, it was promptly adopted and in that form the bill was passed. It was then sent back to the Senate, where it was repassed and sent to the Governor for his approval. The Governor will sign it.

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POWER GRAB BILL PASSES

Gives Away State Water Rights for at Least Fifty Years.

(By Telegraph to The Tribune.)

Albany, May 1.—The bill, majority leader of the Assembly, with the assistance of Assemblyman "Jack" Yale, of Putnam County, "old guard" Republican, to-day succeeded in passing the bill of Senator Walters which would turn the water powers of the state over to so-called quasi-public corporations for development. This bill was drafted by the old Ferris legislative water power investigating committee, and was backed by electric power companies. It was opposed by the Conservation Commission on the ground that it acknowledged as belonging to riparian owners power rights claimed by them, but never adjudicated. The vote was 81 to 47.

Assemblyman Schaap, Progressive, denounced the measure as an attempt to turn tremendous natural advantages free of charge, over to private enterprises, "misnamed quasi-public corporations."

"The bill," he said, "is full of unfaithfulness to the public. After giving away all these water powers it doesn't even tax the companies which get them. Why, it even allows these companies to break into any graveyard wherever they see fit. It not only gives away all the rights the state now possesses in water powers, but creates new rights to give away. It tried to deceive the public by stating that the state shall get possession of the development of the water powers they bring about after fifty years, for in reality it allows the companies to continue in the use of these powers at the expiration of that time."

Assemblymen Gibbs and Lewis, Democrats, declared that no bill was ever introduced which went further away from the policy adopted by the state to conserve its own water powers.

Just previous to the passage of this bill the Murrumbidgee hydro-electric power bill, which provides for an entirely opposite plan for water power development in the capital district, was passed by a vote of 56 to 21. The state, at the expenditure of \$2,000,000, is to construct a power plant and dam at Vischer Ferry, on the Mohawk River, between here and Schoenewad, and the surplus waters of the large canal are to be used. Municipalities in the district can be used to purchase this power from the state.

The Murrumbidgee bill is the one that the power companies all over the state have spent thousands of dollars to defeat. An attempt to strand it by amendment this afternoon failed.

The proposed amendment provided that in fixing the price of the water power to the municipalities the cost of the surplus canal water should be taken into consideration. Unexpectedly, it was promptly adopted and in that form the bill was passed. It was then sent back to the Senate, where it was repassed and sent to the Governor for his approval. The Governor will sign it.

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